



Shibib 37-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): M.A. Shibib et al.
Case: 37-6
Serial No.: 10/688,231
Filing Date: October 17, 2003
Group: 2815
Examiner: George C. Eckert, II

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: Wayne L. Ellenbogen Date: December 3, 2004

Title: Metal-Oxide-Semiconductor Device
Having Improved Performance and Reliability

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is the following document relating to the above-identified patent application:

(1) Response to Restriction Requirement.

There is no additional fee due in conjunction with the response. In the event of any non-payment or improper payment of a required fee, the Commissioner is hereby authorized to charge or to credit **Ryan, Mason & Lewis, LLP Deposit Account No. 50-0762** as required to correct the error.

Respectfully submitted,

Date: December 3, 2004

Wayne L. Ellenbogen
Reg. No. 43,602
Attorney for Applicant(s)
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7662



IFW

Shibib 37-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): M.A. Shibib et al.
Case: 37-6
Serial No.: 10/688,231
Filing Date: October 17, 2003
Group: 2815
Examiner: George C. Eckert, II

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Signature: V. Benchenun Date: December 3, 2004

Title: Metal-Oxide-Semiconductor Device
Having Improved Performance and Reliability

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In an Office Action dated November 3, 2004, the Examiner required restriction of claims 1-25 to one of the following two groups of claims: (i) claims 1-16 and 22-25 (Group I); and (ii) claims 17-22 (Group II). Applicants respectfully request reconsideration and withdrawal of the requirement for restriction for at least the reasons given below.

Applicants submit that the apparatus set forth in independent claims 1 and 22 and the method set forth in independent claim 17 are of such similar character as to essentially eliminate the necessity for a separate search and/or classification. Accordingly, Applicants assert that, in the interest of conservation of resources for the Patent Office as well as the Applicants, the claims of Group I and Group II should be considered together. Accordingly, withdrawal of the restriction requirement in the present application is respectfully solicited.

Notwithstanding the above traversal, Applicants hereby provisionally elect the claims of Group I, namely, claims 1-16 and 22-25, for prosecution on the merits.

Application Serial No. 10/675,633

It is believed that there is no fee due in conjunction with the present response. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Ryan, Mason & Lewis, LLP Deposit Account No. 50-0762** as required to correct the error.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wayne L. Ellenbogen", with a long horizontal flourish extending to the right.

Date: December 3, 2004

Wayne L. Ellenbogen
Attorney for Applicant(s)
Reg. No. 43,602
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-7662